IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION NO : 7371 of 2002

Between:

The Kuchipudy P.A.C.S.Limited, Rep. by its Person-in-charge,

Paladugu Subba Rao, S/o. Amaraiah, R/o. Kuchipudi Village,
Amarthalur Mandal,. Guntur District.

..... PETITIONER

AND

1 The General Manager,
The Guntur District Co-operative Central Bank Administrative Office,
Brodipet, Guntur, Guntur District.
2 The Branch Manager,
The Guntur District Co-operative Central Bank, Tenali Branch,
Tenali Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or directions, more particularly in the nature of the Writ of Mandamus declaring the action of the respondents in deducting the Crop Insurance premium from the crop loans amounts to be advanced to the members of the petitioner at the rate of 4.5% and 2.5% towards the crop insurance premium for the Khariff and Rabby seasons 2002-2003 as illegal, arbitrary un-constitutional.

Counsel for the Petitioner:MR.S.SIVA PRASAD

Counsel for the Respondent Nos.1 and 2: GP FOR COOPERATION

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.7371 OF 2002

ORDER:

The Kuchipudy Primary Agricultural Cooperative Society Limited is the petitioner. As per the crop insurance scheme, every borrower of agricultural loan was required to pay crop insurance ranging from 2.5% to 4.5% whenever they availed cooperative loans. When the deduction of crop insurance was insisted upon by the respondents during khariff and rabby seasons 2002-2003, petitioner filed the present Writ Petition. The petitioner prayed for a declaration that the action of the respondents in deducting crop insurance for khariff and rabby seasons 2002-2003 is illegal and arbitrary.

This Court while admitting the Writ Petition passed interim directions. The cause of auction, which arose in 2002-2003, does not survive. The Writ Petition is therefore dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

22.7.2005

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To

1 The General Manager,
The Guntur District Co-operative Central Bank Administrative Office,
Brodipet, Guntur, Guntur District.

2 The Branch Manager,
The Guntur District Co-operative Central Bank, Tenali Branch,
Tenali Mandal, Guntur District.

3 2 CCs to G.P. for Cooperation, High Court Bldgs., Hyderabad (OUT)

4 2 CD copies.